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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,579	07/30/2001	Masato Kudo	046982-0119	9539
22428	7590	04/19/2006	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			HO, ANDY	
			ART UNIT	PAPER NUMBER
			2194	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/916,579

**Applicant(s)**

KUDO ET AL.

**Examiner**

Andy Ho

**Art Unit**

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is in response to the amendment filed 11/17/2005.
2. Claims 1 and 3-18 have been examined and are pending in the application.

### ***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/17/2005 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-4 and 6-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonemitsu U.S Patent No. 6,856,962 in view of Mansour U.S Patent No. 6,035,278.

**As to claim 1**, Yonemitsu teaches a schedule information system (Fig. 1)

comprising:

schedule data storage in which users schedule data are stored (schedule data storage unit 106, Fig. 1);

information service for providing users with first related information (information being provided to the user from the server via network, lines 41-42 column 2);

related service search means for searching the information service for information that relates to the schedule data stored in the schedule data storage and provides the information as the first related information based on user's schedule data(...an unoccupied time search unit for accepting an unoccupied time search request for a schedule and determining whether the time zone of the schedule is rendered an occupied time or not based on the schedule state of the schedule data existing in the schedule data table and the definition data, and when determining that the time zone of the schedule is rendered an occupied time, displaying an unoccupied time by removing the time zone of the schedule from the unoccupied time..., lines 58-67 column 1);

wherein the related service search includes, in response to users' instructions to search related services or to consult schedule data, acquires the first related information from information service and outputs the first related information to the users (...function of searching for an unoccupied time, and upon receipt of an unoccupied time search request, the search result is displayed in accordance with the definition..., lines 44-48 column 3); and

wherein the related service search includes searches the information service data storage in response to users' instructions or control; and outputting to the user, along with the schedule data said first related information (...function of searching for an unoccupied time, and upon receipt of an unoccupied time search request, the search result is displayed in accordance with the definition..., lines 44-48 column 3).

Yonemitsu does not explicitly teach an Internet-based search engine, second related information summarizing a subject matter of the first related information, and the related information being other than schedule data of another user.

Mansour teaches a system of scheduling wherein schedule data is being provided using Internet and displayed to a user after receiving a request from the user (lines 7-19 column 3, lines 35-54 column 4). Beside the schedule data, related information to the schedule data is also being displayed such as: time required to complete a task (lines 16-22 column 5), notes via email, voice mail or computer messaging (lines 23-60 column 5), and wherein a second related information summaries a subject matter of a first related information (...standard categories may be provided for use by either schedule owner or scheduler. As an example, categories such as medical appointments, luncheons, and business trips can be assigned designated markers. These markers are then placed in the schedule as appropriate..., lines 4-8 column 6). It would have been obvious to apply the teachings of Mansour to the system of Yonemitsu because by accessing information via Internet and having related information along with the schedule data, the system allows the user to keep track of the schedule and manage time for tasks in the schedule via Internet, therefore

the user could have some control over the schedule as disclosed by Mansour (lines 48-59 column 1, lines 16-60 column 5).

**As to claim 3**, Yonemitsu as modified further teaches the information service data storage includes storing information relating to the access address and access procedure for the information service (lines 43-53 column 2); and connecting to the information service on the basis of the access address and procedure information that have been retrieved by the related service search (connection of schedule data operating unit 108 and units 106, 107 and 109, Fig. 1).

**As to claim 4**, Yonemitsu as modified further teaches receiving schedule data related information from an information service to which a connection has been established, and for outputting the received information along with the schedule data (...function of searching for an unoccupied time, and upon receipt of an unoccupied time search request, the search result is displayed in accordance with the definition..., lines 44-48 column 3).

**As to claim 6**, Yonemitsu as modified further teaches personal information storage for storing personal information relating to users (schedule data storage unit storing information about users, lines 7-10 column 3); wherein the related service search uses this personal information along with the schedule data to search the information service data storage (...searching for an unoccupied time relating to a particular user..., lines 7-47 column 6).

**As to claim 7**, Yonemitsu as modified further teaches user preferences extraction for extracting information inferred - on the basis of schedule data input by a

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user or information relating to information service means provided by a user - to be of interest to the user, and for using the extracted information as part of the personal information (the system uses the input information of a particular user to search for unoccupied time relating to that user, lines 7-47 column 6).

**As to claim 8**, Yonemitsu as modified further teaches acquiring information relating to the personal information by connecting to an information service found by the related service search on the basis of the personal information (... searching for an unoccupied time relating to a particular user..., lines 7-47 column 6), and for storing this information in the user schedule data storage as part of the schedule data of the user (lines 43-53 column 2).

**As to claim 9**, Yonemitsu as modified further teaches the information service data storage is provided with information service data registration whereby the user can register information (user registers schedule data with the schedule management system, lines 16-26 column 3).

**As to claim 10**, Yonemitsu as modified further teaches information service data acquisition for searching, on the basis of the personal information stored in the personal information storage, information service that are in conformity with this personal information (the system uses the input information of a particular user to search for unoccupied time relating to that user, lines 7-47 column 6); and for storing this information from the searched information service (lines 43-53 column 2).

**As to claim 11**, Yonemitsu as modified further teaches when there is information to be registered as schedule data with the schedule data storage, requests transmission

of the schedule data to the schedule data storage (user registers schedule data with the schedule management system, lines 16-26 column 3); and data transmit/receive for receiving this schedule data, retrieving information congruent with the received schedule data, and transmitting the acquired information (...function of searching for an unoccupied time, and upon receipt of an unoccupied time search request, the search result is displayed in accordance with the definition..., lines 44-48 column 3).

**As to claim 12**, Yonemitsu as modified further teaches display for presenting the user with information acquired from an information service (user system displays information from the server, lines 41-42 column 2); generating and displaying the animated character images along with the acquired information (tables contain user information, Figs. 2-3, 5-6 and 8).

**As to claim 13**, Yonemitsu as modified further teaches selecting a display scenario that is appropriate for the schedule data (display unoccupied time of a particular user, lines 7-53 column 6); and in accordance with the movement pattern obtained by this display scenario selection, displays the animated character images and outputs what the character says (tables contain user information, Figs. 2-3, 5-6 and 8).

**As to claim 14**, it is a system claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above. Yonemitsu as modified further teaches client terminals are connected to a server via a network (clients 102s connect to server 103 via network 110, Fig. 1).



**As to claim 15**, Yonemitsu as modified further teaches information service data storage contains Internet location information as the address information (TCP/IP protocol, lines 1-15 column 3) for accessing the information service.

**As to claims 16-17**, they are system claims of claims 14-15. Therefore, they are rejected for the same reasons as claims 14-15 above.

**As to claim 18**, Yonemitsu as modified further teaches storage medium (memory, line 57 column 2) in which software has been stored, and an information processing unit (CPU, line 56 column 2).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yonemitsu in view of Mansour, and further in view of Van Horne U.S Patent No. 6,625,645.

**As to claim 5**, Yonemitsu as modified above does not explicitly teach a billing storage. Van Horne teaches a system of clients using service from a server wherein the server stores clients' billing information for account charging purpose (lines 38-65 column 4). It would have been obvious to apply the teachings of Van Horne to the system of Yonemitsu because by storing clients' billing information, the server could charge the clients for the service that they used as disclosed by Van Horne (lines 38-65 column 4).

### ***Response to Arguments***

6. Applicant's arguments filed 11/17/2005 have been fully considered.

Applicant argued that Yonemitsu reference does not teach a second related information summaries a subject matter of the first related information, and utilizing an Internet-based search engine to search for related information (Remarks, second complete paragraph page 7 continue to second complete paragraph page 8). In response, Yonemitsu reference's cited portions regarding these limitations have been withdrawn from the claim rejections. All arguments regarding these limitations are moot in view of new cited portions from Mansour reference as disclosed in the claim rejections above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or' Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.
- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 - 3762

A.H  
April 17, 2006

A handwritten signature in black ink, appearing to read "Andrew", with a long, sweeping horizontal line extending to the right.